

proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of disbursements and receipts.

SEC. 4. The Point Pleasant and Henderson Bridge Company, its successors and assigns, shall, within ninety days after the completion of such bridge, file with the Secretary of War and with the highway department of the State of West Virginia, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the highway department of the State of West Virginia, shall, at any time, within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Point Pleasant and Henderson Bridge Company, its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this Act, subject only to review in a court of equity for fraud or gross mistake.

Sworn statement of construction costs, etc., to be filed after completion.

Examination by Secretary of War.

Findings of Secretary conclusive.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Point Pleasant and Henderson Bridge Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

Right to sell, etc., conferred.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 6, 1928.

**CHAP. 324.**—An Act Granting the consent of Congress to the States of South Dakota and Nebraska to construct, maintain, and operate a bridge across the Missouri River at or near Niobrara, Nebraska.

April 6, 1928.  
[S. 2827.]

[Public, No. 242.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the States of South Dakota and Nebraska to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, between a point at or near Niobrara, Knox County, Nebraska, and a point opposite in the State of South Dakota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Missouri River.  
South Dakota and  
Nebraska may bridge,  
at Niobrara, Nebr.

Construction.  
Vol. 34, p. 84.

SEC. 2. There is hereby conferred upon the States of Nebraska and South Dakota all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and

Right to acquire real estate, etc., for location, approaches, etc.

Condemnation proceedings.

Tolls authorized.

Vol. 34, p. 85.

Rates applied to operation, sinking fund, etc.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenditures and receipts.

Amendment.

maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property in such State.

SEC. 3. The said States of South Dakota and Nebraska are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the cost, including interest, of such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed ten years from the completion thereof. After a sinking fund sufficient to pay the cost, including interest, of constructing the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the cost of the bridge and its approaches, the expenditures for operating, repairing, and maintaining the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 6, 1928.

April 6, 1928.  
[H. R. 9020.]  
[Public, No. 243.]

**CHAP. 325.**—An Act To amend an Act entitled "An Act to establish a Code of Law for the District of Columbia," approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto.

District of Columbia  
Code Amendments.  
Supreme Court.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof and supplementary thereto, constituting the Code of Law for the District of Columbia, be, and the same are hereby, amended as follows:

Strike out section 1110 and insert in lieu thereof:

Clerk's fees.  
Vol. 31, p. 1363,  
amended.

"SEC. 1110. CLERK'S FEES.—For filing the following named cases and for all services to be performed therein, except as otherwise provided herein, the clerk shall charge and collect the following fees:

Court cases.

"Actions at law, \$10; suits in equity, \$10; lunacy cases, \$10; deportation cases, \$10; requisition cases, \$10; habeas corpus cases, \$10; plea of title cases, \$10; District court cases, \$15; condemnation cases, \$15; libel cases, \$15; feeble-minded cases, \$7.50; adoption cases, \$5; change of name cases, \$5; intervening petitions in any case, \$5; cases substituting trustees, \$4; docketing judgments of the municipal court, \$2.50; and limited partnership cases, \$3.

Appeals to Court of Appeals.

"Upon the perfecting of any appeal to the Court of Appeals of the District of Columbia there shall be charged and collected by the clerk from the party or parties prosecuting such appeal an additional fee in said suit or proceeding of \$5.